

**RSI Corp asks the FCC to considerer more specific definitions and comprehensive programs (under F. Special Considerations for Occupational Use, 37, 38 and 39) when dealing with RFR levels above the uncontrolled limits. Because RFR (Radio Frequency Radiation) energy is recognized as a *physical hazard*, employers must consider worker's and the public's exposure when planning operations at communications sites, or for that manner, any location where RFR energy may be present in order to make people "fully aware" per OSHA competent persons requirements.**

John Henshaw Labor (OSHA) in a letter to the telecom industry (April, 03) stated that "I ask that **you seriously consider contracting only** with .. **companies** that have **excellent safety and health records** and that **you require** in your contracts the following: (1) .. comply with all OSHA requirements, and (2) all contracts with subcontractors contain the same provision," Henshaw stated. "In addition, these contracts should contain strong language regarding the importance of **good safety and health programs, employee training and education**.....

RSI, following OSHA's outline believes that and asks the FCC to considerer more specific definitions and comprehensive programs:

- An organization cannot have a comprehensive "program" unless it first has an idea of where it wants to go with a policy in order to "exercise control"
- How to implement the ideas of the policy with a written specific plan "administrative"
- Provide employee training "competent person"
- Enforcement of the rules

**Under training to make people "fully aware" OSHA CFR 1910.268© states**

- It shall consist of **on-the-job training or classroom-type** training or a combination of both.
- The employer shall certify the employees are **Competent** and have been trained by a **Qualified person**.
- 1910.1020 (c)(13) "Toxic substance or harmful physical agent" means any chemical substance, biological agent, or physical stress (noise, heat, cold, vibration, repetitive motion, ionizing and **non-ionizing radiation**).
- 1910.1020 (g)(1)Upon an employee's **first entering into employment**, and at **least annually** thereafter, each employer shall inform current employees ....(g)(1)(i) The existence, location, and availability of any records.... RSI Note: **OSHA has stated that "the uncontrolled criteria is the action limit for which a safety program should be implemented" this would include training.**

CFR 1926.21

"Competent person" means one who is capable of identifying existing and predictable hazards and who **has authorization** to take prompt **corrective measures to eliminate**

**them.** This means “fully aware” and the written “administrative” program outlines to the worker how to control the hazard.

□ **QUALIFIED PERSON** – means one who, by possession of recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated their ability to solve or resolve problems relating to the subject matter, the work, or the project. RSI note: This should be an OSHA type train the trainer program related to the hazard.

• FCC new requirement states: In **requiring that submitters of written statements in fact-based adjudications and investigations have a reasonable basis to believe that what they say is correct and not misleading**, the Commission is imposing on the submitters a duty of **due diligence, including the duty to take appropriate affirmative steps to determine the truthfulness of what is being submitted**. The creator of the hazard must notify and work with the **affected entities** to find a way to work safely around the hazard before they can make a statement that they meet the RFR requirements. This is similar to many RF site situations where high-power antennas impact co-located towers or other employees working on or near the site. •

• **Note: OSHA has stated that the uncontrolled criteria is the action limit for which a safety program should be implemented** Screening measurements by a **Qualified person** are required to identify potentially hazardous RF areas, which will require some control strategy. RF fields can induce currents in nearby conducting objects. These must be evaluated to ensure they do not constitute RF shock and burn hazards.

• Signage **should only be installed after a thorough RF hazard assessment has been conducted** to determine what areas should be categorized as “Above Controlled/Occupational limits” or “Above Uncontrolled limits”. These areas should be outline in a specific “administrative” plan or site map with special precautions. Per OSHA CFR§ 1910.145 Danger signs shall be colored red, black, and white. (i) There shall be no variation in the type of design of signs posted to **warn** of specific dangers and radiation hazards. (ii) All employees shall **be instructed that danger** signs indicate immediate danger and that special precautions are necessary.

Many groups claim categorical exclusion and install signs but in fact their sites still have many types of worker in the areas around their equipment. If the area is above the uncontrolled action limit the elements outline in this text should be followed as the training requirements for “fully aware”.

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**Aug 30, 2003**  
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